

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CASE NO.: 11-2207-MJD/LIB

ATS INTERNATIONAL, INC.,
a corporation,
PLAINTIFF,

vs.

LAP DISTRIBUTION PTE LTD,
a foreign corporation,
DEFENDANT.

MOTION TO COMPEL ARBITRATION

Plaintiff ATS International, Inc. (“ATSI”), pursuant to 9 *U.S.C.* §4, moves this Court for an order directing Defendant LAP Distribution PTE, Ltd. (“LAP”) to submit to arbitration.

ATSI and LAP are parties to a written agency agreement (“Agreement”) which provides that “[a]ny dispute arising out of this Agreement and any Agreement ancillary hereto, shall be determined by the Courts and/or Arbitration Board of the United States.” In the course of the performance of the Agreement, certain disputes arose between ATSI and LAP regarding amounts due to ATSI and LAP’s unauthorized use of ATSI’s bills of lading.

As the parties were unable to settle their differences, ATSI demanded that the controversies be submitted to arbitration in accordance with the terms of the Agreement.

LAP has refused to submit to arbitration.

Accordingly ATSI is entitled to an order from this Court directing LAP to proceed to arbitration pursuant to the terms of the Agreement.

This Motion is based on ATSI's Petition to Compel Arbitration pursuant to the Federal Arbitration Act, 9 U.S.C. §1, et seq, the accompanying Memorandum of Law, the Declaration of Joseph M. Goering with attached Exhibit, and all files and proceedings herein.

GRAY, PLANT, MOOTY,
MOOTY & BENNETT, P.A.

By s/Kelly Hoversten
Kelly Hoversten (#320419)
500 IDS Center
80 South Eighth Street
Minneapolis, Minnesota 55402
Telephone: (612) 632-3203
Facsimile: (612) 632-4203
Kelly.Hoversten@gpmlaw.com

ATTORNEYS FOR PLAINTIFF
ATS INTERNATIONAL, INC.

-AND-

RUMRELL & BROCK, P.A.
Lindsey C. Brock III
Fla Bar #971669
Deborah R. Reid
Fla Bar #0012871
9995 Gate Parkway North, Suite 190
Jacksonville, Florida 32246
(904) 996-1100
(904) 996-1120 (facsimile)